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HONOLULU, HAWAII 96813-3065

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November 9, 2011

TO: CYNTHIA NAKAZAKI, COMMITTEE CLERK
COMMITTEE ON ZONING AND PLANNING

FROM: BREENE HARIMOTO, MEMBER *BH*
COMMITTEE ON ZONING AND PLANNING

SUBJECT: PROPOSED AMENDMENTS TO BILL 50 (2011), CD1 EXHIBIT A
WAI'ANAE SUSTAINABLE COMMUNITIES PLAN

DELETION OF THE INDUSTRIAL DESIGNATION (PURPLE SPOT) IN LUALUALEI
VALLEY.

Pursuant to Council Communication No. 199 (CC 199), transmitted herewith for consideration by the Committee on Zoning and Planning are five sets of forms proposing amendments to Bill 50 (2011), CD1 and the attached revised Wai'anae Sustainable Communities Plan.

Also pursuant to CC 199, please number this communication and hyperlink it as a related communication on the agenda when the committee considers Bill 50 (2011), CD1.

Enclosures: Amendment worksheet and proposals (five sets)

DP AMENDMENT WORKSHEETDATE: 11/9/11

BILL 50 (2011), CD1

PROPOSER	BILL/PLAN	NO. AND TITLE OF SECTION OR EXHIBIT	AMENDMENT SUBJECT
HARIMOTO	PLAN	2.3.9 ("Develop and support community-based businesses")	Delete language relating to the creation of a light industrial park in Lualualei Valley.
HARIMOTO	PLAN	3.9.2.5 ("Encourage Light Industrial Businesses")	Delete language for an industrial site in Lualualei Valley.
HARIMOTO	PLAN	3.9.4 ("Relation to Land Use Map")	Delete language pertaining to Lualualei Valley.
HARIMOTO	PLAN	Appendix ("Community Growth Boundary")	Delete language pertaining to "industrial" lands in Lualualei Valley.
HARIMOTO	PLAN	A.1.6 ("Industrial")	Miscellaneous technical, clerical, grammatical, and nonsubstantive amendments. Delete language pertaining to industrial area in Lualualei Valley.
HARIMOTO	PLAN	Exhibit A-1 ("Land Use Map")	Remove industrial region in the mauka area between Ma'ili/Lualualei and Nanakuli (i.e., "purple/lavender spot").
HARIMOTO	PLAN	Exhibit A-2 ("Open Space Map")	Delete Rural Community use boundary designation in the Lualualei Valley area between Ma'ili/Lualualei and Nanakuli (i.e., yellow spot).
HARIMOTO	PLAN	Exhibit A-3 ("Public Facilities Map")	Delete Rural Community use boundary designation in the Lualualei Valley area between Ma'ili/Lualualei and Nanakuli (i.e., yellow spot).

PROPOSER	BILL/PLAN	NO. AND TITLE OF SECTION OR EXHIBIT	AMENDMENT SUBJECT

DP AMENDMENT PROPOSAL

DATE: 11/9/11

BILL 50 (2011), CD1

COUNCILMEMBER BREENE HARIMOTO

BILL/PLAN	NO. AND TITLE OF SECTION OR EXHIBIT	PAGE	AMENDMENT SUBJECT
PLAN	2.3.9 ("Develop and support community-based businesses")	2-15	Delete language relating to the creation of a light industrial park in Lualualei.
JUSTIFICATION FOR AMENDMENT			
<p>Light industrial use in Lualualei Valley as indicated in Exhibit A-1 (Land Use Map) is outside the existing Community Growth Boundary and an inappropriate use in a preservation zoned area. The Community Growth Boundary should be one continuous boundary, and not include isolated pockets that are independent of the general boundary. Any new industrial development should be contained within the existing Community Growth Boundary.</p> <p>Furthermore, on May 16, 2011, the State of Hawai'i Land Use Commission (LUC) denied a petition to reclassify 96 acres of land at Lualualei from its current Agricultural District to the Urban District. The LUC found that the petition area:</p> <ol style="list-style-type: none"> 1) Is not contiguous to other lands in the State Land Use Urban District; 2) Does not conform with the policy of the General Plan to maintain the character of rural areas; 3) Is outside of the Rural Community Boundary for the Wai'anae SCP area; and 4) "does not conform to the standards for establishing the Urban District boundaries, is not reasonable, is violative of section 205-2, HRS, and is inconsistent with the policies and criteria established pursuant to sections 205-16 and 205-17, HRS." <p>The proposed light industrial use will have significant adverse impacts on traffic, particularly at the intersection of Lualualei Navel Access Road and Farrington Highway. In addition, both the Navy and the City have indicated that they will not be responsible for the cost of any traffic improvements necessitated as a result of this project.</p> <p>There is a lack of necessary infrastructure and utilities, and there is no formal long-term agreement with the United States Navy for continued roadway access to the area.</p>			
DESCRIPTION OF AMENDMENT			
<p>Amend fourth paragraph to read:</p> <p>Other economic opportunities discussed include expansion of retail and commercial centers in the four major <i>ahupua'a</i> [and the creation of a light industrial park in Lualualei.]. Similar to the</p>			

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other sectors, it is recommended that locally-owned businesses be given priority, and that they hire residents as much as possible.

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BILL/PLAN	NO. AND TITLE OF SECTION OR EXHIBIT	PAGE	AMENDMENT SUBJECT
PLAN	3.9.2.5 ("Encourage Light Industrial Businesses")	3-37	Delete language pertaining to light industrial use in Lualualei Valley
JUSTIFICATION FOR AMENDMENT			
<p>Light industrial use in Lualualei Valley as indicated in Exhibit A-1 (Land Use Map) is outside the existing Community Growth Boundary and an inappropriate use in a preservation zoned area. The Community Growth Boundary should be one continuous boundary, and not include isolated pockets that are independent of the general boundary. Any new industrial development should be contained within the existing Community Growth Boundary.</p> <p>Furthermore, on May 16, 2011, the State of Hawai'i Land Use Commission (LUC) denied a petition to reclassify 96 acres of land at Lualualei from its current Agricultural District to the Urban District. The LUC found that the petition area:</p> <ol style="list-style-type: none"> 1) Is not contiguous to other lands in the State Land Use Urban District; 2) Does not conform with the policy of the General Plan to maintain the character of rural areas; 3) Is outside of the Rural Community Boundary for the Wai'anae SCP area; and 4) "does not conform to the standards for establishing the Urban District boundaries, is not reasonable, is violative of section 205-2, HRS, and is inconsistent with the policies and criteria established pursuant to sections 205-16 and 205-17, HRS." <p>The proposed light industrial use will have significant adverse impacts on traffic, particularly at the intersection of Lualualei Navel Access Road and Farrington Highway. In addition, both the Navy and the City have indicated that they will not be responsible for the cost of any traffic improvements necessitated as a result of this project.</p> <p>There is a lack of necessary infrastructure and utilities, and there is no formal long-term agreement with the United States Navy for continued roadway access to the area.</p>			
DESCRIPTION OF AMENDMENT			
<p>Amend first paragraph to read:</p> <p>Encourage the establishment of light industrial businesses that provide jobs for local people, and that are generally compatible with the predominantly residential uses of the Rural Residential</p>			

DESCRIPTION OF AMENDMENT

<p>areas along the coast, but not in Makaha Valley. Light industrial uses should be allowed only in the existing Industrial areas in Wai‘anae [and Lualualei Valley,] as shown on the Land Use Map (Exhibit A-1).</p>

Delete the second paragraph:

[The Industrial site in Lualualei Valley is intended for light industrial uses that are not noxious or socially objectionable in nature. Light industrial lots at this location should be affordably priced for Wai‘anae businesses, and include vocational training and other facilities that will benefit the Wai‘anae community.]

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BILL 50 (2011), CD1

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BILL/PLAN	NO. AND TITLE OF SECTION OR EXHIBIT	PAGE	AMENDMENT SUBJECT
PLAN	3.9.4 ("Relation to Land Use Map")	3-38	Delete language pertaining to Lualualei Valley
JUSTIFICATION FOR AMENDMENT			
<p>Light industrial use in Lualualei Valley as indicated in Exhibit A-1 (Land Use Map) is outside the existing Community Growth Boundary and an inappropriate use in a preservation zoned area. The Community Growth Boundary should be one continuous boundary, and not include isolated pockets that are independent of the general boundary. Any new industrial development should be contained within the existing Community Growth Boundary.</p> <p>Furthermore, on May 16, 2011, the State of Hawai'i Land Use Commission (LUC) denied a petition to reclassify 96 acres of land at Lualualei from its current Agricultural District to the Urban District. The LUC found that the petition area:</p> <ol style="list-style-type: none"> 1) Is not contiguous to other lands in the State Land Use Urban District; 2) Does not conform with the policy of the General Plan to maintain the character of rural areas; 3) Is outside of the Rural Community Boundary for the Wai'anae SCP area; and 4) "does not conform to the standards for establishing the Urban District boundaries, is not reasonable, is violative of section 205-2, HRS, and is inconsistent with the policies and criteria established pursuant to sections 205-16 and 205-17, HRS." <p>The proposed light industrial use will have significant adverse impacts on traffic, particularly at the intersection of Lualualei Navel Access Road and Farrington Highway. In addition, both the Navy and the City have indicated that they will not be responsible for the cost of any traffic improvements necessitated as a result of this project.</p> <p>There is a lack of necessary infrastructure and utilities, and there is no formal long-term agreement with the United States Navy for continued roadway access to the area.</p>			
DESCRIPTION OF AMENDMENT			
<p>Delete last sentence of the paragraph:</p> <p>[The other is in Lualualei Valley.]</p>			

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COUNCILMEMBER BREENE HARIMOTO

BILL/PLAN	NO. AND TITLE OF SECTION OR EXHIBIT	PAGE	AMENDMENT SUBJECT
PLAN	Appendix ("1. Community Growth Boundary")	A-2	Delete language pertaining to "industrial" lands in Lualualei Valley.
JUSTIFICATION FOR AMENDMENT			
<p>Light industrial use in Lualualei Valley as indicated in Exhibit A-1 (Land Use Map) is outside the existing Community Growth Boundary and an inappropriate use in a preservation zoned area. The Community Growth Boundary should be one continuous boundary, and not include isolated pockets that are independent of the general boundary. Any new industrial development should be contained within the existing Community Growth Boundary.</p> <p>Furthermore, on May 16, 2011, the State of Hawai'i Land Use Commission (LUC) denied a petition to reclassify 96 acres of land at Lualualei from its current Agricultural District to the Urban District. The LUC found that the petition area:</p> <ol style="list-style-type: none"> 1) Is not contiguous to other lands in the State Land Use Urban District; 2) Does not conform with the policy of the General Plan to maintain the character of rural areas; 3) Is outside of the Rural Community Boundary for the Wai'anae SCP area; and 4) "does not conform to the standards for establishing the Urban District boundaries, is not reasonable, is violative of section 205-2, HRS, and is inconsistent with the policies and criteria established pursuant to sections 205-16 and 205-17, HRS." <p>The proposed light industrial use will have significant adverse impacts on traffic, particularly at the intersection of Lualualei Navel Access Road and Farrington Highway. In addition, both the Navy and the City have indicated that they will not be responsible for the cost of any traffic improvements necessitated as a result of this project.</p> <p>There is a lack of necessary infrastructure and utilities, and there is no formal long-term agreement with the United States Navy for continued roadway access to the area.</p>			
DESCRIPTION OF AMENDMENT			
<p>Amend second paragraph to read:</p> <p>In the Wai'anae District, the Community Growth Boundary is defined by a line that has been drawn to delineate and contain the Farrington Highway development corridor. This line,</p>			

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although conceptual in nature, has been drawn and should be interpreted such that the mid-section of the line more or less coincides with the limits of lands that are zoned, as of 2009, R-5 and R-10, as well as existing scattered zoned commercial and industrial sites and the major residential developments of the Department of Hawaiian Home Lands in Nanakuli. The intent of this line is to identify existing urban/suburban areas, allow for infill residential and commercial development on undeveloped parcels within this boundary, and clearly define the limits of urban/suburban development. Thus, no new urban/suburban development shall be allowed *mauka* of this Community Growth Boundary line, except for already residentially zoned lands in Makaha Valley, [and **“Industrial” lands in Lualualei Valley.**] Lands *mauka* of this line are designated “Agriculture” and “Preservation.” Continued small-scale agricultural uses of small farm lots within the Community Growth Boundary should be encouraged.

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BILL/PLAN	NO. AND TITLE OF SECTION OR EXHIBIT	PAGE	AMENDMENT SUBJECT
PLAN	A.1.6 ("Industrial")	A-6	Delete language pertaining to industrial area in Lualualei Valley, and make miscellaneous technical, clerical, grammatical, and nonsubstantial amendments.
JUSTIFICATION FOR AMENDMENT			
<p>Light industrial use in Lualualei Valley as indicated in Exhibit A-1 (Land Use Map) is outside the existing Community Growth Boundary and an inappropriate use in a preservation zoned area. The Community Growth Boundary should be one continuous boundary, and not include isolated pockets that are independent of the general boundary. Any new industrial development should be contained within the existing Community Growth Boundary.</p> <p>Furthermore, on May 16, 2011, the State of Hawai'i Land Use Commission (LUC) denied a petition to reclassify 96 acres of land at Lualualei from its current Agricultural District to the Urban District. The LUC found that the petition area:</p> <ol style="list-style-type: none"> 1) Is not contiguous to other lands in the State Land Use Urban District; 2) Does not conform with the policy of the General Plan to maintain the character of rural areas; 3) Is outside of the Rural Community Boundary for the Wai'anae SCP area; and 4) "does not conform to the standards for establishing the Urban District boundaries, is not reasonable, is violative of section 205-2, HRS, and is inconsistent with the policies and criteria established pursuant to sections 205-16 and 205-17, HRS." <p>The proposed light industrial use will have significant adverse impacts on traffic, particularly at the intersection of Lualualei Navel Access Road and Farrington Highway. In addition, both the Navy and the City have indicated that they will not be responsible for the cost of any traffic improvements necessitated as a result of this project.</p> <p>There is a lack of necessary infrastructure and utilities, and there is no formal long-term agreement with the United States Navy for continued roadway access to the area.</p>			
DESCRIPTION OF AMENDMENT			
Amend first paragraph to read:			

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The Wai‘anae District Land Use Map includes [two] one “Industrial [areas] area. The intent of [these] this Industrial [areas] area is to provide areas for the development of non-polluting, light industrial uses that would provide employment opportunities for local people. The first such area is in the vicinity of the Wastewater Treatment Plant and Wai‘anae Mall. Some commercial uses should also be allowed in this Industrial area, to provide for an economically viable mix of uses, and also to serve as a buffer between light industrial uses and nearby residential areas. It is the intent of this Industrial use that industrial-mixed use “IMX” be allowed as compatible zoning designation.

Delete second paragraph:

[The second Industrial area is in Lualualei Valley. This site is intended for light industrial uses that are not noxious or socially objectionable in nature. Light industrial lots at this location should be affordably priced for Wai‘anae businesses, and include vocational training and other facilities that will benefit the Wai‘anae community.]

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BILL/PLAN	NO. AND TITLE OF SECTION OR EXHIBIT	PAGE	AMENDMENT SUBJECT
PLAN	Exhibit A-1 ("Land Use Map")	Appendix A-10	Delete Industrial use designation in the Lualualei Valley area between Ma'ili/Lualualei and Nanakuli (i.e., the purple/lavender spot).
JUSTIFICATION FOR AMENDMENT			
<p>Light industrial use in Lualualei Valley as indicated in Exhibit A-1 (Land Use Map) is outside the existing Community Growth Boundary and an inappropriate use in a preservation zoned area. The Community Growth Boundary should be one continuous boundary, and not include isolated pockets that are independent of the general boundary. Any new industrial development should be contained within the existing Community Growth Boundary.</p> <p>Furthermore, on May 16, 2011, the State of Hawai'i Land Use Commission (LUC) denied a petition to reclassify 96 acres of land at Lualualei from its current Agricultural District to the Urban District. The LUC found that the petition area:</p> <ol style="list-style-type: none"> 1) Is not contiguous to other lands in the State Land Use Urban District; 2) Does not conform with the policy of the General Plan to maintain the character of rural areas; 3) Is outside of the Rural Community Boundary for the Wai'anae SCP area; and 4) "does not conform to the standards for establishing the Urban District boundaries, is not reasonable, is violative of section 205-2, HRS, and is inconsistent with the policies and criteria established pursuant to sections 205-16 and 205-17, HRS." <p>The proposed light industrial use will have significant adverse impacts on traffic, particularly at the intersection of Lualualei Navel Access Road and Farrington Highway. In addition, both the Navy and the City have indicated that they will not be responsible for the cost of any traffic improvements necessitated as a result of this project.</p> <p>There is a lack of necessary infrastructure and utilities, and there is no formal long-term agreement with the United States Navy for continued roadway access to the area.</p>			
DESCRIPTION OF AMENDMENT			
Amend the Land Use Map by removing the Industrial use designation in Lualualei Valley (i.e., purple/lavender spot).			

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BILL/PLAN	NO. AND TITLE OF SECTION OR EXHIBIT	PAGE	AMENDMENT SUBJECT
PLAN	Exhibit A-2	Appendix A-11	Delete Rural Community use boundary designation in the Lualualei Valley area between Ma'ili/Lualualei and Nanakuli (i.e., yellow spot).
JUSTIFICATION FOR AMENDMENT			
<p>Light industrial use in Lualualei Valley as indicated in Exhibit A-1 (Land Use Map) is outside the existing Community Growth Boundary and an inappropriate use in a preservation zoned area. The Community Growth Boundary should be one continuous boundary, and not include isolated pockets that are independent of the general boundary. Any new industrial development should be contained within the existing Community Growth Boundary.</p> <p>Furthermore, on May 16, 2011, the State of Hawai'i Land Use Commission (LUC) denied a petition to reclassify 96 acres of land at Lualualei from its current Agricultural District to the Urban District. The LUC found that the petition area:</p> <ol style="list-style-type: none"> 1) Is not contiguous to other lands in the State Land Use Urban District; 2) Does not conform with the policy of the General Plan to maintain the character of rural areas; 3) Is outside of the Rural Community Boundary for the Wai'anae SCP area; and 4) "does not conform to the standards for establishing the Urban District boundaries, is not reasonable, is violative of section 205-2, HRS, and is inconsistent with the policies and criteria established pursuant to sections 205-16 and 205-17, HRS." <p>The proposed light industrial use will have significant adverse impacts on traffic, particularly at the intersection of Lualualei Navel Access Road and Farrington Highway. In addition, both the Navy and the City have indicated that they will not be responsible for the cost of any traffic improvements necessitated as a result of this project.</p> <p>There is a lack of necessary infrastructure and utilities, and there is no formal long-term agreement with the United States Navy for continued roadway access to the area.</p>			
DESCRIPTION OF AMENDMENT			
Amend the Open Space Map by removing the Rural Community Boundary use designation in Lualualei Valley (i.e., yellow spot).			

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DATE: 11/9/11

BILL 50 (2011), CD1

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BILL/PLAN	NO. AND TITLE OF SECTION OR EXHIBIT	PAGE	AMENDMENT SUBJECT
PLAN	Exhibit A-3	Appendix A-12	Delete Rural Community use boundary designation in the Lualualei Valley area between Ma'ili/Lualualei and Nanakuli (i.e., yellow spot).
JUSTIFICATION FOR AMENDMENT			
<p>Light industrial use in Lualualei Valley as indicated in Exhibit A-1 (Land Use Map) is outside the existing Community Growth Boundary and an inappropriate use in a preservation zoned area. The Community Growth Boundary should be one continuous boundary, and not include isolated pockets that are independent of the general boundary. Any new industrial development should be contained within the existing Community Growth Boundary.</p> <p>Furthermore, on May 16, 2011, the State of Hawai'i Land Use Commission (LUC) denied a petition to reclassify 96 acres of land at Lualualei from its current Agricultural District to the Urban District. The LUC found that the petition area:</p> <ol style="list-style-type: none"> 1) Is not contiguous to other lands in the State Land Use Urban District; 2) Does not conform with the policy of the General Plan to maintain the character of rural areas; 3) Is outside of the Rural Community Boundary for the Wai'anae SCP area; and 4) "does not conform to the standards for establishing the Urban District boundaries, is not reasonable, is violative of section 205-2, HRS, and is inconsistent with the policies and criteria established pursuant to sections 205-16 and 205-17, HRS." <p>The proposed light industrial use will have significant adverse impacts on traffic, particularly at the intersection of Lualualei Navel Access Road and Farrington Highway. In addition, both the Navy and the City have indicated that they will not be responsible for the cost of any traffic improvements necessitated as a result of this project.</p> <p>There is a lack of necessary infrastructure and utilities, and there is no formal long-term agreement with the United States Navy for continued roadway access to the area.</p>			
DESCRIPTION OF AMENDMENT			
Amend the Public Facilities Map by removing the Rural Community Boundary use designation in Lualualei Valley (i.e., yellow spot).			

DESCRIPTION OF AMENDMENT